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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,634	10/24/2003	Daniel P. Brown	CS21907RA	8650
20280 7590 12/17/2007 MOTOROLA INC 600 NORTH US HIGHWAY 45 W4 - 39Q LIBERTYVILLE, IL 60048-5343			EXAMINER HUANG, WEN WU	
			ART UNIT 2618	PAPER NUMBER
			NOTIFICATION DATE 12/17/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/692,634	Applicant(s) BROWN ET AL.	
	Examiner Wen W. Huang	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 13-16 have been renumbered 25-28.

Claims 1-12 and 25-28 are pending.

Claims 13-24 are canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Petite (US. 5,926,103; hereinafter "Petite").

Regarding **claim 1**, Petite teaches a method for a wireless communication device (see Petite, fig. 1, portable transmitter 120) to provide information about an incident (see Petite, col. 1, lines 61-66), the method comprising:

detecting an activation input (see Petite, col. 3, lines 56-62, a plurality of buttons 210) associated with an incident event (see Petite, col. 4, lines 2-4);

scanning (see Petite, fig. 2, transmitter 230, col. 10-15) for at least one remote device (see Petite, fig. 1, transceiver 130; col. 6, lines 41-43);

coordinating collection of data (see Petite, col. 4, lines 2-4 and 32-40) by the wireless communication device with the at least one remote device by associating the collected data with the incident (see Petite, col. 4, lines 49-54 and col. 8, lines 6-10);

recording data relating to a subject matter of the incident event (see Petite, col. 5, lines 28-29), the data being obtained by at least one video sensor of the at least one remote device (see Petite, fig. 1, camera 150); and

transmitting the recorded data to a designated location (see Petite, col. 6, lines 10-11, col. 7, lines 57-66 and col. 8, lines 7-10).

Regarding **claim 3**, Petite also teaches the method of claim 1, further comprising receiving authorization to utilize data obtained by the at least one remote device (see Petite, col. 5, lines 42-46).

Regarding **claim 4**, Petite also teaches the method of claim 1, further comprising identifying subject matter of the incident event based on the activation input (see Petite, col. 3, lines 56-66).

Regarding **claim 5**, Petite also teaches the method of claim 1, further comprising:

retrieving previously recorded data relating to the subject matter of the incident event (see Petite, col. 6, lines 24-36); and

transmitting the previously recorded data to the designated location (see Petite, col. 6, lines 38-40).

Regarding **claim 6**, Petite also teaches the method of claim 1, wherein:

scanning for the at least one remote device including scanning via a wireless local area network (see Petite, col. 6, lines 41-43); and

transmitting the recorded data to a designated location includes transmitting via a cellular communication system (see Petite, col. 6, lines 20-22).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petite in view of Steeves (US. 6,876,302 B1).

Regarding **claim 2**, Petite also teaches the method of claim 1.

Petite is silent to teaching that wherein coordinating collection of data with the at least one remote device includes informing the at least one remote device about a

location of the incident event. However, the claimed limitation is well known in the art as evidenced by Steeves.

In the same field of endeavor, Steeves teaches a method for a wireless communication device to provide information about an incident (see Steeves, fig. 1, Slam-Cam 102), wherein coordinating collection of data with the at least one remote device (see Steeves, fig. 1 receiver and processor 103) includes informing the at least one remote device about a location of the incident event (see Steeves, col. 6, lines 60-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Petite with the teaching of Steeves in order to facilitate an appropriate response from the authority (see Steeves, col. 2, lines 35-36).

3. Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite in view of Hanninen et al. (US. 7,058,409 B2; hereinafter "Hanninen") and Steeves.

Regarding **claim 7**, Petite teaches a method for a wireless communication device (see Petite, fig. 1, transceiver 130) to provide information about an incident (see Petite, col. 1, lines 61-66), the method comprising:

detecting, from a remote mobile device (see Petite, fig. 1, portable transmitter 120), a request signal associated with an incident event (see Petite, col. 4, lines 2-4 and 49-54);

recording data relating to the subject matter of the incident event (see Petite, col. 5, lines 28-29 and col. 8, lines 7-10), the data being obtained by at least one video sensor (see Petite, fig. 1, camera 150);

transmitting the recorded data to a designated location (see Petite, col. 6, lines 10-11 and col. 7, lines 57-66),

Petite is silent to teaching that
receiving information from the remote mobile device about a location of the incident event;

recording data relating to the subject matter of the incident event in response to detecting the request signal or receiving the information about the designated location from the remote mobile device. However, the claimed limitation is well known in the art as evidenced by Hanninen and Steeves.

In the same field of endeavor, Hanninen teaches
recording data relating to the subject matter of the incident event (see Hanninen, col. 4, lines 61-62) in response to detecting the request signal or receiving the information about the designated location from the remote mobile device (see Hanninen, col. 3, lines 57-58 and col. 5, lines 12-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Petite and the teaching of

Hanninen in order to provide a useful record of crimes and accidents (see Hanninen, col. 1, lines 19-25).

The combination of Petite and Hanninen is silent to teaching that receiving information from the remote mobile device about a location of the incident event. However, the claimed limitation is well known in the art as evidenced by Steeves.

In the same field of endeavor, Steeves teaches a method for a wireless communication device to provide information about an incident (see Steeves, fig. 1, receiver and processor 103), the method comprising receiving information from the remote mobile device (Steeves, fig. 1, Slam-Cam 102) about a location of the incident event (see Steeves, col. 6, lines 60-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Petite and Hanninen with the teaching of Steeves in order to facilitate an appropriate response from the authority (see Steeves, col. 2, lines 35-36).

Regarding **claim 8**, the combination of Petite, Hanninen and Steeves also teaches the method of claim 7, further comprising identifying subject matter of the incident event based on video characteristics received from the remote device (see Hanninen, col. 5, lines 8-11).

Regarding **claim 9**, the combination of Petite, Hanninen and Steeves also teaches the method of claim 7, further comprising providing authorization to the remote device to utilize the recorded data (see Petite, col. 5, lines 42-46).

Regarding **claim 10**, the combination of Petite, Hanninen and Steeves also teaches the method of claim 7, further comprising:

identifying subject matter of the incident event based on the request signal (see Petite, col. 4, lines 2-5 and 56-58; Hanninen, col. 4, lines 45-50); and

requesting more information from the remote device if the subject matter cannot be clearly identified (see Hanninen, col. 5, lines 4-6).

Regarding **claim 11**, the combination of Petite, Hanninen and Steeves also teaches the method of claim 7, further comprising:

retrieving previously recorded data relating to the subject matter of the incident event (see Petite, col. 6, lines 24-36); and

transmitting the previously recorded data to the designated location (see Petite, col. 6, lines 38-40).

Regarding **claim 12**, the combination of Petite, Hanninen and Steeves also teaches the method of claim 7, wherein transmitting the recorded data to a designated location includes transmitting via a wireless communication system (see Petite, col. 6, lines 20-23).

4. Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite in view of Petite et al. (US. 7,079,810 B2; hereinafter "Petite 810").

Regarding **claim 25**, Petite teaches a method for a wireless communication device (see Petite, fig. 1, portable transmitter 120) to provide information about an incident (see Petite, col. 1, lines 61-66), the method comprising:

detecting an activation input (see Petite, col. 3, lines 56-62, a plurality of buttons 210) associated with an incident event (see Petite, col. 4, lines 2-4);

scanning (see Petite, fig. 2, transmitter 230, col. 10-15) for at least one remote device (see Petite, fig. 1, transceiver 130; col. 6, lines 41-43);

coordinating collection of data (see Petite, col. 4, lines 2-4 and 32-40) by the wireless communication device with the at least one remote device by associating the collected data with the incident (see Petite, col. 4, lines 49-54 and col. 8, lines 6-10);

recording data relating to a subject matter of the incident event (see Petite, col. 5, lines 28-29), the data being obtained by at least one video sensor of the at least one remote device (see Petite, fig. 1, camera 150); and

transmitting the recorded data to a designated location (see Petite, col. 6, lines 10-11, col. 7, lines 57-66 and col. 8, lines 7-10).

Petite is silent to teaching that comprising:

receiving response from a plurality of remote devices; and

measuring signal strengths of the received responses and selecting the at least one remote device with a highest signal strength. However, the claimed limitation is well known in the art as evidenced by Petite 810.

In the same field of endeavor, Petite 810 teaches a method for a wireless communication device to provide information (see Petite 810, fig. 2, laptop 112 and fig. 7, portable phone 705), the method comprising:

receiving response from a plurality of remote devices (see Petite 810, fig. 7, telephones 120; col. 10, lines 41-48); and

measuring signal strengths of the received responses (see Petite 810, col. 13, lines 1-7) and selecting the at least one remote device with a highest signal strength (see Petite 810, col. 13, lines 12-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Petite with the teaching of Petite 810 in order to provide reliable communication means between personal communication devices and remote devices (see Petite 810, col. 2, lines 1-3).

Regarding **claim 26**, the combination of Petite and Petite 810 also teaches the method of claim 25, further comprising receiving authorization to utilize data obtained by the at least one remote device (see Petite, col. 5, lines 42-46).

Regarding **claim 17**, the combination of Petite and Petite 810 also teaches the method of claim 25, further comprising:

retrieving previously recorded data relating to the subject matter of the incident event (see Petite, col. 6, lines 24-36); and

transmitting the previously recorded data to the designated location (see Petite, col. 6, lines 38-40).

Regarding **claim 28**, the combination of Petite and Petite 810 also teaches the method of claim 25, wherein:

scanning for the at least one remote device including scanning via a wireless local area network (see Petite, col. 6, lines 41-43); and

transmitting the recorded data to a designated location includes transmitting via a cellular communication system (see Petite, col. 6, lines 20-22).

Response to Arguments

Applicant's arguments filed 8/30/07 with respect to claims 1 and 3 have been fully considered but they are not persuasive.

Regarding claim 1, the Applicant argues that Petite does not teach "coordinating collection of data by the wireless communication device with the at least one remote device by associating the collected data with the incident". The Applicant recalls the arguments presented in the response filed on 4/18/07 that the wireless communication device is coordinating data collection with the remote device. Thus, data is collected from the wireless communication device as well as the at least one remote device.

The Examiner submits that Petite teaches "coordinating collection of data by the wireless communication device with the at least one remote device by associating the collected data with the incident. More specifically, Petite teaches (see Petite, col. 4, lines 49-58) that the transceiver 130 (i.e. the at least one remote device) receives the data from the portable transmitter 120 (i.e. data collected by the wireless communication device, including a function code corresponding to the type of incident), and adds data related to the location of transceiver 130. The data (both the data received from portable transmitter 120 and data added by transceiver 130) is then transmitted to a remote receiver 140. Thus, the Examiner submits that Petite teaches coordinating collection of data by the wireless communication device with the at least one remote device by associating the collected data with the incident.

The Applicant further argues that Petite's data elements contain information pertaining to the user and not to the incident. However, the Examiner respectfully disagrees.

More specifically, the Examiner submits that Petite teaches the data element contains a function code corresponding to the type of button pressed on the portable transmitter (panic, test, etc) (see Petite, col. 4, lines 56-58). Furthermore, Petite teaches that the buttons on the portable transmitter 120 represent a particular type of emergency condition, i.e. a particular type of incident, such as police assistant, medical assistant, fire and automobile trouble (see Petite, col. 3, lines 55-67). Thus, the Examiner submits that Petite's data elements contain information pertaining to the incident.

Moreover, the Applicant argues that Petite is silent to the scanning function. However, the Examiner respectfully disagrees.

More specifically, the Examiner submits that Petite teaches the portable transmitter 120, upon the activation of the panic button, transmitting an FSK tone modulation signal having a range of 150 feet (see Petite, col. 4, lines 10-13). Thus, Petite teaches scanning for the transceiver 130 with the 150 feet range. Furthermore, Petite teaches the transceiver 130 receiving the FSK tone from the portable transmitter 120 and synchronizing with the portable transmitter 120 (see Petite, col. 5, lines 5-9 and 33-38). Therefore, the Examiner submits that Petite teaches "scanning for at least one remote device".

Regarding claim 3, the Applicant argues that Petite does not teach receiving authorization to utilize data obtained because checking the authenticity of the data is not authorizing the utilization of the data. However, the Examiner respectfully disagrees.

More specifically, the Examiner submits that Petite teaches checking and verifying the authenticity and validity of the user ID code and if the user ID code is not authentic, the data is discarded (i.e. not utilized). On the other hand, if the user ID code is validated, then the data is utilized. Thus, Petite teaches using the authenticity of the user ID code to authorize the utilization of the data obtained (see Petite, col. 5, lines 42-46). Therefore, the Examiner submits that Petite teaches receiving authorization to utilize data obtained by the at least one remote device.

Applicant's arguments with respect to claims 2 and 7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

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wwh



12/05/07



MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER